

## REMARKS

The acknowledgment of the claim for foreign priority under 35 U.S.C. 119 and receipt of the priority document is noted with appreciation.

Per the Examiner's request, the specification has been amended in several locations to correct spelling and grammatical errors. No new matter has been introduced.

Per the Examiner's request, the drawing sheet has been amended to remove the title, inventor name, and attorney docket number. No new matter has been introduced. Thus, please approve the Proposed Drawing Corrections concurrently submitted herewith. Acknowledgment of the same is respectfully requested with the next Office communication.

Claims 1-5 have been amended to comport with U.S. patent language. Claim 1 has further been amended to clarify the subject matter contained therein, as well as to emphasize the backward part of the disk holder. Support for this amendment can be found throughout the specification, especially at pages 5-6, and is shown in the Figures. No new matter has been introduced.

Claims 1-5 are currently pending in the application. Claims 1-4 have been rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent 5,898,539 to Yokota. Claim 5 has been rejected under 35 U.S.C. §103 as being obvious over Yokota. These grounds of rejection are traversed in view of the amendments above and remarks below.

The present invention describes a flexible disk drive with a disk holder designed to withstand pressure applied to its casing, thus preventing the abutting of the magnetic head and a flexible disk, while maintaining the thinness desired in contemporary flexible disk drive. In order to obtain these benefits, tip end portions 3a, 4a of a disk holder 1 are bent in an oblique direction so as to enlarge the insertion inlet for easily inserting a flexible disk. As shown in Figure 2, the tip end portion 3a is positioned so that it touches an inner face of the case 5. The disk holder 1 further comprises a support shaft 6. When pressure is applied from above (see "Load" in Figure 1), the tip end portion 3a bears the flexure of the case 5, and support shaft 6

pivots the backward part 1b upward. The backward part 1b pushes against the back portion of the case 5, thus lifting the case. Because a magnetic head assembly is fixed to a side of the case 5, the magnetic head assembly is also lifted. Thus, abutting between the magnetic head and the flexible disk is prevented. Yokota neither teaches nor suggests a flexible disk drive that prevents abutting between a magnetic head and a flexible disk.

Specifically, Yokota discloses a disk apparatus with a reduced number of parts, thus purportedly resulting in lower costs and higher assembling efficiency (see columns 3-4 in Yokota). Yokota further discloses a latch lever that smoothly rotates while preventing friction between a cam portion and engaging portion (see column 4, lines 18-32, in Yokota). However, at no point does Yokota teach a backward or rear portion of a disk holder to lift a case when a downward pressure is applied to the front or tip end portion of the disk holder. Rather, with reference to Figures 1, 2, 7, 9 and 10 (particularly 9 and 10) of Yokota, it can be seen that the disk apparatus has a slide member, where sliding for a predetermined distance is regulated by the stage 15m and supporting portion 15j. This is accomplished using opening 30 in member 5a. At no point in Yokota is the end portion 5a described as “pushing said inner face of said case upwardly when a downward pressure is applied to said tip end portion” as is required in claim 1. Moreover, due to the opening for the supporting portion 15j, the Yokota device would not be able to function in the same way as contemplated by claim 1. Conversely, claim 1 of the present invention, as amended, teaches the disk holder to comprise a backward part that pushes against the inner face of a case when downward pressure is applied to the tip end portion. Thus, Yokota clearly fails to teach or suggest these novel aspects of the present invention.

In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 1-5 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael E. Whitham', written in a cursive style.

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**Amendments to the Drawings**

Please approve the changes to the figures, which deletes the title, inventor name, and attorney docket number as shown in red in the annotated marked-up copy and replacement sheet attached to the concurrently filed Proposed Drawing Corrections.

1/1

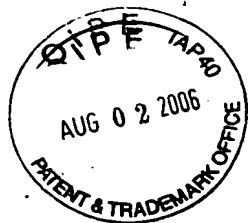


FIG. 1

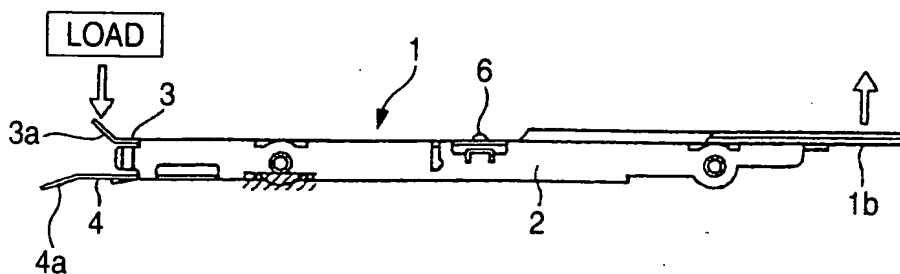


FIG. 2

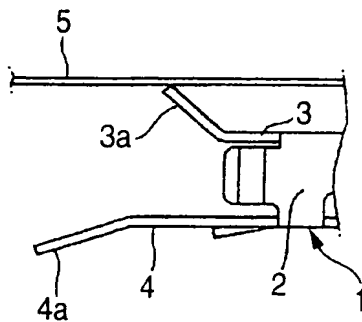


FIG. 3

